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FIVE THINGS

FIVE THINGS Student Affairs Professionals Should Know About Disability Law

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FIVE THINGS ISSUE BRIEF SERIES

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Student affairs professionals invest time and expertise in serving college students with disabilities, both apparent and hidden. Some practitioners acknowledge the greater ethical imperative to ensure that accommodations for differently-abled students are crafted responsibly and implemented with the utmost respect and dignity. Others heed the ethical responsibility but remain responsive to the current regulatory environment surrounding disability law; failure to sufficiently address legal requirements could result in the loss of federal financial support to the institution. Moreover, these laws have recently undergone profound legislative and regulatory revisions, forcing student affairs professionals to update and enhance their understanding of these laws and their role in the academic and social success of students with disabilities. NASPA offers this Five Things brief as a reference guide for student affairs professionals, highlighting five major areas of change that are applicable to a variety of college environments.

Growing enrollments of students with disabilities on college campuses, along with changes in key legislation, have generated considerable interest among policy makers, researchers, and institutional leaders in the overall accessibility of institutional offerings and services (Newman, Wagner, Cameto, Knokey, & Shaver, 2010). Federal laws prohibit discrimination against students with disabilities and require that appropriate services and supports are provided to them. Naturally, some institutional leaders may conclude that the existing rules and regulations governing practice and administration in this area are well established in terms of common values, philosophical foundations, data-driven practices, and widely available existing counsel and resources. What's more, they may see current administrative offices such as Student Disability Services as responsible for determining the appropriate accommodations and facilities adjustments, if any. However, such units are often inadequately funded, given the growing numbers of students requesting accommodations; and many may not have legal, compliance, or content experts on staff who are knowledgeable about the ever widening range of compliance responsibilities. More than ever, disability services offices need robust support for faculty and administrators, particularly at the senior levels of authority. Furthermore, advancing the success of postsecondary students with disabilities will take a campuswide effort with insight and understanding of disability compliance principles throughout every program and department.

A recent survey by the National Center for Education Statistics (Raue & Lewis, 2011) about the enrollment of students with disabilities at 2- and 4-year postsecondary education institutions found the following:

- Eighty-eight percent of Title IV degree-granting institutions reported enrolling students with disabilities. In particular, almost all public 2- and 4-year institutions

(99%) reported enrolling students with disabilities.

- Institutions reported enrolling approximately 707,000 students with disabilities in the 12-month academic year in which this study was conducted, with about half of these students reported enrolled in public 2-year institutions. (Although the reported number of students with disabilities is overestimated due to duplicated student counts, this estimate largely reflects unduplicated counts of students with disabilities; most institutions [94%] provided an unduplicated count of the total number of students with disabilities at their institution.)
- Institutions reported enrolling students with specific learning disabilities (86%), Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder (79%), mobility limitations or orthopedic impairments (76%), or mental illness or psychological or psychiatric conditions (76%).
- Across all institutions only 55% of students who reported a disability provided verification of their disabilities or accompanying documentation of requested services and accommodations that should be provided.

The same survey reported the following about the institutions' capacity to accommodate students with disabilities:

- Ninety-three percent of institutions provided academic accommodations for students with disabilities such as additional exam time and additional time to travel to classes. Large percentages of institutions also provided classroom note takers (77%), help with learning strategies or study skills (72%), alternative exam formats (71%), and adaptive equipment and technology (70%).
- Almost all institutions (93%) reported using a main website to post information about accommodations. Yet, of those, only 24% of institutions reported that the main website followed established accessibility guidelines or recommendations for users with disabilities to a major extent.
- Many institutions reported integrating accessibility features during major renovations and new construction projects (89%); offering students, faculty, and staff the opportunity to provide input on accessibility features during project planning stages (65%); and conducting needs assessments pertaining to accessibility (64%). However, only a third reported providing various services and accommodations to the general public, for example, publicizing the availability of adaptive equipment, technology, or services at institution-sponsored events open to the public.

As noted, there is a growing concern regarding student persistence and the successful completion of programs of study for students with disabilities who enroll in postsecondary education. Access is only a first step in the larger challenge of successfully completing a program of study, graduating, and ultimately, achieving meaningful employment. Moreover, the legal environment under which campus practitioners help students matriculate through this process has recently undergone profound legislative and regulatory revision. Although judicial interpretation of federal disability law continues to evolve, considerable guidance and precedents exist that will enable higher education practitioners to better meet the needs of students with disabilities and to protect themselves from litigation and unproductive expenditure. The next section of this brief offers five areas of interpretation that student affairs professionals need to consider to enhance their understanding of disability law and its implications for institutional culture, policy, and practice for students with disabilities.

Federal Disability Law: Terms and Definitions

Americans with Disabilities Act of 1990 (ADA): Guarantees equal opportunity for individuals with disabilities in public and private sector service and employment. The ADA is split into sections called "Titles," similar to chapters in a book. Specifically, Title II of the ADA prohibits *all* state and local governmental entities, including public colleges and universities, from discriminating against people with disabilities. Title II covers state universities and state and local community colleges, whereas Title III prohibits private colleges and universities from discriminating against people with disabilities.

Americans with Disabilities Act Amendments Act of 2008 (ADAAA): The ADAAA amends the ADA, emphasizing that the definition of *disability* should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally should not require extensive analysis of whether an individual has a disability within the meaning of the ADA. The act makes important changes to the definition of the term *disability* by rejecting the holdings in several Supreme Court decisions and portions of EEOC's former ADA regulations. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability.

Section 504 of the Rehabilitation Act of 1973: Section 504 prohibits "any program receiving federal financial assistance" from discriminating against otherwise qualified individuals because of his or her disability. Section 504 includes any college or university that receives direct or indirect federal financial assistance, including those that accept students who receive financial aid: almost all colleges and universities.

Each student who meets the eligibility guidelines for accommodations under Section 504 will have a Section 504 Plan developed for him or her to use in school. The plan specifies the nature of the impairment, the major life activity affected by the impairment, accommodations necessary to meet the student's needs, and the person(s) responsible for implementing the accommodations.

Equal Employment Opportunity Commission (EEOC): The EEOC is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex, national origin, age, disability, or genetic information.

Individualized Education Program (IEP): An IEP is a written plan that is designed for any student who receives special education and related services. IEPs are required for every special education student under the federal Individuals with Disabilities Education Act. The IEP describes the goals that are set for the student over the course of the school year and spells out any special supports needed to help achieve those goals.

Individuals with Disabilities Education Act (IDEA): IDEA is the nation's federal special education law that ensures public schools serve the educational needs of students with disabilities. IDEA requires that schools provide special education services to eligible students outlined in a student's IEP.

Universal Design: Universal design is the construction of products and environments to be usable by all people to the greatest extent possible, without the need for adaptation or specialized design. Universal design is an approach to the design of products and environments, including instruction that takes into consideration the variety of abilities, disabilities, racial and ethnic backgrounds, reading abilities, ages, and other characteristics of the student body.

Service Animal: A service animal is any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to: assisting vision-impaired individuals with navigation and other tasks, alerting hearing-impaired individuals to the presence of people or sounds, providing non-violent protection or rescue, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Assistance or Comfort Animal: An assistance or comfort animal may be of any species, providing emotional support, well-being, and/or companionship to its handler by performing passive comforting actions. The assistance or comfort animal shall be under the control of its handler and have a harness, leash, or other tether, unless the handler is unable to use a harness, leash, or other tether because of a disability.

For an in-depth study of college obligations under the ADA and Section 504, and disability law at large, see the U.S. Department of Education's Office for Civil Rights Reading Room website at http://www2.ed.gov/about/offices/list/ocr/publications.html.

For ADA Titles II and III regulations, commentary, and guidance, visit http://www.ada.gov/2010_regs.htm.

The EEOC website for ADAAA and other Title I regulations is http://www.eeoc.gov/laws/regulations/index.cfm.

1 More Students are Covered

Fifteen years after the passage of the ADA, it became evident to disability advocates, employers, and educators that problems had developed with regard to its interpretation and enforcement. A series of interpretations of the ADA and Section 504 of the Rehabilitation Act by the U.S. Supreme Court made it nearly impossible for plaintiffs to establish that impairments such as cancer, diabetes, epilepsy, monocular vision, bipolar disorder, or developmental delay qualified them as "individuals with disabilities" within the meaning and protections of the ADA or Section 504 (see *Sutton v. United Airlines*, 1999; *Toyota Motor Manufacturing, Kentucky v. Williams*, 2002). Because status as an individual with a disability is a jurisdictional prerequisite to bringing nearly any claim under the ADA or Section 504, most claims of disability discrimination filed in federal court were never heard on their merits. The laws had become ineffective in providing relief from discrimination on the basis of disability in both employment and postsecondary settings.

In the case of individuals who do not have an impairment that falls into one of the per se categories, a case-by-case analysis still will be necessary.

The interpretations of the Supreme Court affected employment discrimination claims (including those made by academic employees) as well as college students with disabilities. Students who alleged in federal court that their academic failings were due to the unlawful denial of "academic adjustments" and "auxiliary aids" (accommodations) or who challenged the denial of accommodations by standardized testing entities such as the National Board of Medical Examiners and state licensing agencies (e.g., bar examiners) usually had their cases dismissed on the predicate question of whether they were individuals with disabilities (*Gonzales v. National Board of Medical Examiners*, 2000; *Pazer v. New York State Board of Law Examiners*, 1994; *Price v. National Board of Medical Examiners*, 1997). The interpretation of the law that excluded a large number of students was the judicial perspective that if someone had a record of academic success, then he or she could not be considered to have a disability (Grossman, 2014).

Students with learning disabilities will continue to face some challenges in establishing coverage, but the challenges will be less burdensome than in the past. In the case of individuals who do not have an impairment that falls into one of the per se categories, a case-by-case analysis still will be necessary. In such instances, the EEOC regulations call for consideration of the "time, manner, and duration" (29 C.F.R. § 1630.2[j][4]) necessary to perform the major life activity in comparison to "most people in the general population" (29 C.F.R. § 1630.2[j][1][ii]). Learning disabilities such as dyslexia are commonly diagnosed on the basis of intra-individual differences. Thus the question may be whether the intra-individual differences a student documents are of a materially greater magnitude than such differences for most people in the general population. Or, one might ask, in order for a student to read with the same degree of comprehension as most people in the general population, in what manner must that individual read? Exclusive reliance upon a bottom-line analysis, for example excluding from coverage a

student with dyslexia because of a "high level of academic success," would not be consistent with consideration of time, manner, and duration as is specifically precluded by the new EEOC regulation (29 C.F.R. § 1630.2[j][4][iii]).

Perhaps most important to the consideration of individuals with learning disabilities was the decision by Congress, cited earlier, that held that academic success precluded coverage under the ADA for persons with learning disabilities. Congress also rejected these precedents. It is "critical to reject the assumption that an individual who has performed well academically cannot be substantially limited in activities such as learning, reading, writing, thinking, or speaking" (Cong. Rec. 154, S8842; see also House Report 110-730, 2008, stating the same in nearly identical language). Consequently, the EEOC's regulations implementing the ADAAA provide that an individual's academic success does not preclude that individual from coverage under the ADA based on a specific learning disability. According to those regulations:

> [S]omeone with a learning disability may achieve a high level of academic success, but may nevertheless be substantially limited in the major life activity of learning because of the additional time or effort he or she must spend to read, write, or learn compared to most people in the general population. (29 C.F.R. § 1630.2[j][4][iii])

The requirement that an individual with a disability must be compared to the general population "does not mean that disability cannot be shown where an impairment, such as a learning disability, is clinically diagnosed based in part on a disparity between an individual's aptitude and that individual's actual versus expected achievement." (29 C.F.R. § 1630[j][1][v]; see Brief of the United States and amici in *Rawdin v. American Board of Pediatrics*, 2013; see also *Peters v. University of Cincinnati College of Medicine*, 2012).

THE FIVE MOST IMPORTANT RULES OF (RE)CONSTRUCTION IN THE DEFINITION OF DISABILITY:

1. The phrase *"substantially limits"* requires a lower degree of functional limitation than the standard previously applied by the courts (29 C.F.R. § 1630.2[j][1][iv]; see 42 U.S.C. § 12102[4]). The number one ground on which courts based a determination that a person's impairment—such as a learning disability, psychological disorder, or mobility impairment—was a disability was on whether the impairment sufficiently limited a major life activity, such as learning, thinking, or walking. Now, an impairment no longer must "prevent or severely or significantly restrict" a major life activity to be considered substantially limiting (29 C.F.R. § 1630.2[j][1][i]; see also 29 C.F.R. § 1630.2 [i][2]). However, a material degree of limitation still must be present; a routine allergy, a mild migraine headache, the common flu, or an ordinary backache is unlikely to constitute a disability.

2. With one exception (ordinary eyeglasses or contact lenses), the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as medication or hearing aids (42 U.S.C. 12102[4][e]; 29 C.F.R. § 1630.2[j][1][vi]; 29 C.F.R. § 1630.2[j][5] [i]–[v]). Thus, a student with high blood pressure, diabetes, Attention Deficit Hyperactivity Disorder (ADHD) or a psychological condition may no longer be excluded from the protections of the ADA or Section 504 on the grounds that, with medication, the impairment does not substantially limit a major life activity.

3. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active (42 U.S.C. 12102[4][d]; 29 C.F.R. § 1630.2[j][1] [vii]). Thus, the ADA and Section 504 cover a student with cyclical bipolar disorder or a person whose cancer is in remission.

4. The determination of disability should not require extensive analysis. As a practical matter, this means that students who seek accommodations should not be subject to burdensome documentation requirements (29 C.F.R. § 1630.3[1][iii]).

5. The effects of an impairment lasting or expected to last fewer than 6 months can be considered substantially limiting (with regard to Prongs I and II [persons alleging a current disability or a history of a disability]; 29 C.F.R. § 1630.2[j][1][ix]). Thus, for example, a student with broken bones, even if they will completely heal within 4 months, can no longer be excluded if the broken bones substantially limit a major life activity such as walking. However, a person with a "transitory and minor" impairment will not qualify for coverage under Prong III (that he or she is considered or perceived to have a disability; 29 C.F.R. § 1630.2[j][1][ix]).

2 Less Documentation Is Needed

Despite the fact that reconstruction of the definition of disability has made it easier for students to establish that they are individuals with disabilities, it is still important that they document the accommodations they seek. Understanding the functional limitations associated with a student's disability remains critical to devising effective, necessary accommodations.

Nothing has changed in the regulations that would require colleges or universities to fundamentally alter their programs of instruction, lower their essential academic standards, or provide accommodations that are not necessary to an equal education opportunity (see 28 C.F.R. §35.130[b][7]; 34 C.F.R. § 104.44; *Southeastern Community College v. Davis*, 1979; *Argenyi v. Creighton University,* 2014).

The degree of documentation necessary to support an accommodation request should be determined on a case-by-case basis.

The degree of documentation necessary to support an accommodation request should be determined on a case-by-case basis. Some accommodations will be self-evident and should require little or no documentation beyond what is observable or self-reported by the student. For example, a student in a wheelchair should not have to document the need for a schedule that recognizes the fact that it takes him longer to get dressed in the morning. However, a student with dyslexia who wants double or triple time on examinations might be required to provide documentation that logically establishes the need for so much extra time. At the institutional level, a college might ask for documentation that measures the degree of impairment in the student's reading fluency.

Persons with responsibilities in this area should become familiar with two sources of guidance. First is the new DOJ regulations concerning test accommodations, issued under Title III of the ADA. These regulations are applicable to Title II entities as well (75 Fed. Reg. 56236 [September 15, 2010]). The basic requirements provide the following:

- "Any request for documentation, if such documentation is required, [must be] reasonable and limited to the need for the modification, accommodation, or auxiliary aid or service requested" (28 C.F.R. § 36.309[b][1][iv]).
- "When considering requests for modifications, accommodations, or auxiliary aids or services, the entity [must give] considerable weight to documentation of past modifications, accommodations, or auxiliary aids or services received in similar testing situations, as well as such modifications, accommodations, or related aids and services provided in response to an Individualized Education Program (IEP) provided under the Individuals with Disabilities Education Act of 1975 or a plan describing services provided pursuant to Section 504 of the Rehabilitation Act of 1973, as amended (often referred to as a Section 504 plan)" (28 C.F.R. § 36.309[b][1][v]).

A second source for documentation guidelines is *Supporting Accommodation Requests: Guidance on Documentation Practices*, issued by the Association for Higher Education and Disability (AHEAD, 2012). Of course this document does not carry with it the authority of law; nonetheless, it provides excellent practical advice that is aligned with the ADAAA as well as the EEOC and DOJ regulations cited earlier.

More guidance from the DOJ on individuals with learning disabilities or ADHD, both with regard to coverage under the ADAAA and documentation, is likely forthcoming, as DOJ (2014a) has issued a notice proposing application of ADAAA to individuals with learning disabilities and ADHD under Titles II and III, and the comment period is closed.

3 Definitions and Accommodations for Service Animals and Assistance/ Comfort Animals are More Distinct

The term *service animal* is now limited to dogs (28 C.F.R. §§ 35.104, 35.136 [Title II]; 28 C.F.R. §§ 36.104, 36.302[c][2]–[9] [Title III]). (However, the regulations also permit the use of trained miniature horses, in certain cases, as an accommodation.) A service animal is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including persons with sensory impairments or psychological disabilities such as Post Traumatic Stress Disorder (PTSD). Any breed or size of dog may qualify. If a college or university put together its service animal notice and procedure with help from the OCR, the notice and procedure may be outdated and no longer in compliance with the ADA or Section 504, because institutions can no longer process service animal requests the same way they process other accommodations. Under the new DOJ regulations, people who use service animals can be asked only two questions: (a) Is the dog required because of a disability, and (b) what work or task has the dog been trained to perform? Assuming appropriate answers, the level of inquiry or request for documentation should not proceed further (see *Hurley v. Loma Linda Medical Center*, 2014). Moreover, there are very few locations which may prohibit the presence of a service animal (*Tamara v. El Camino Hospital,* 2013).

For institutions with residence halls or sorority and fraternity housing, the Fair Housing Act and Housing and Urban Development (HUD) Section 504 rules apply. In addition to service animals, these rules require accommodation for people who, because of a disability, need an assistance or comfort animal. An assistance animal may be of any species, and its function may include passive comforting actions. Here, standard accommodation procedures may be applied. The person must be able to document that he or she is an individual with a disability and that the animal is necessary in order to fully participate in the programs and activities of the college or university. This is likely a determination to be made by a disability services office. Both service and assistance animals are available only to people with disabilities, are more than pets, must be housebroken and under the control of their guardians, and must not present a direct threat to the health and safety of others or create an undue burden that cannot be mitigated. At least currently, colleges and universities may limit the use of the assistance animal to HUD housing, including the residence hall common areas, such as a dining hall, lobby, study hall, and TV room (see *Settlement Agreement between Leland and Fair Housing Council of Oregon v. Portland State University,* 2014).

An unsettled question is what to do if it is clear that the animal is neither a service animal nor an assistance/comfort animal as defined by DOJ but the requestor is a person with a disability. Some commentators have suggested that, under Section 504, colleges may still need to consider—*as an accommodation*—making an exception to a no-pets policy for assistance/comfort animals. The college might ask, Does the presence of the animal reduce the impact of the disability? For example, a wounded warrior with PTSD might provide documentation from a treating psychiatrist that in the company of

Both service and assistance animals are available only to people with disabilities, are more than pets, must be housebroken and under the control of their guardians, and must not present a direct threat to the health and safety of others or create an undue burden that cannot be mitigated.

the animal the student is able to greatly reduce his or her level of medication. If these commentators are correct, the use of assistance or companion animals would not be limited to HUD housing. If such animals present no direct threat to health and safety, they would be permitted in the classroom setting and most other places on campus. It is hoped that further guidance on this question will be forthcoming from the OCR.

4 Institutional Websites Come Under Scrutiny

In June 2010, the OCR and DOJ issued a *Dear Colleague* letter concerning the use of emerging technologies by educational institutions. The immediate concern was that colleges were establishing courses or course sections that relied exclusively on media technology (e.g., Kindle DX) as the class textbook and that the technology was not usable by students with substantial visual impairments. For example, these devices lacked accessible text-to-speech technology. The two federal departments concluded that

> use of an emerging technology in a classroom environment when the technology is inaccessible to an entire population of individuals with disabilities . . . [constitutes] discrimination [under the] ADA and Section 504 . . . unless those individuals are provided [with] accommodations or modifications that permit them to receive all the educational benefits provided by the technology in an equally effective and equally integrated manner. (Department of Education, 2010, para. 1)

Under scrutiny are websites, course management tools, library catalogues, online courses, and ticketing and registration systems.

Subsequent to the OCR and DOJ guidance, these federal agencies as well as advocacy organizations such as the National Federation of the Blind are directing complaints and investigatory resources to the accessibility of digital information resources. Under scrutiny are websites, course management tools, library catalogues, online courses, and ticketing and registration systems (see *Resolution Agreement Among the University Montana–Missoula,* 2014, which requires certain digital information services, including fundamental websites, library systems, and learning systems to be accessible under WCACC 2 AA standards; see complaint *Dudley v. Miami University*, 2014; see also *National Federation of the Blind and the United States of America v. HRB Digital LLC and HRB Tax Group, Inc.,* 2014; DOJ, Statement of Interest of the United States in *David New v. Lucky Brand Dungarees Stores*, 2014; see also the DOJ [2014b] guidance for individuals with "communications disabilities." This document also contains some useful guidance on undue burden).

Heretofore courts have struggled with how to apply brick and mortar precedents and concepts of equal treatment to the virtual world (see *National Federation of the Blind v. Target,* 2007). Recent decisions and filings such as those provided earlier raise the question, Is the opposite about to happen? Are decisions and settlements that pertain to the virtual world going to set more demanding standards for how we measure equality for individuals with disabilities in a wide variety of settings? With regard to access to information that is transmitted or is available digitally, these decisions and settlements envision a new, more robust concept of equal opportunity—one that takes into account ease of use, hours of service, independence, and self-sufficiency.

5 Equal Athletic Opportunity Is Not Limited to Title IX

On January 25, 2013, the OCR issued a *Dear Colleague* letter concerning equal athletic opportunity for students with disabilities. The letter, which focused on elementary and secondary schools, provided examples of how to achieve compliance with Section 504 and the ADA in existing competitive and extracurricular athletics programs. It noted:

> Students with disabilities who cannot participate in the school district's existing extracurricular athletics program—even with reasonable modifications or aids and services—should still have an equal opportunity to receive the benefits of extracurricular athletics. When the interests and abilities of some students with disabilities cannot be as fully and effectively met by the school district's existing extracurricular athletic program, the school district should create additional opportunities for those students with disabilities. (Department of Education, 2013, p. 11)

With regard to the postsecondary setting, the letter stated, in part:

> The specific details of the illustrative examples offered in this guidance are focused on the elementary and secondary school context. Nonetheless, students with disabilities at the postsecondary level must also be provided an equal opportunity to participate in athletics, including intercollegiate, club, and intramural athletics. (p. 2)

As elementary and secondary schools create a critical mass of athletes with disabilities headed for college, and as wounded warriors interested in disability athletics return from Afghanistan and Iraq to postsecondary institutions, colleges cannot afford to delay addressing equal athletic opportunities for students with disabilities.

CONCLUSION

Although more students are covered by the protections than in the past, not everyone who claims disability status will be covered. More effective and reliable accommodations will have to be provided to students with disabilities, although the rules do not require fundamental alterations in the nature of a program.

Senior institutional administrators of programs for college students with disabilities are ideally suited to be the lead officials in addressing these new requirements, but they cannot assume all responsibility for campuswide compliance. Facilities offices will have to understand and implement the new architectural access requirements. Information technology staff will need to become abreast of the guidelines regarding the display of Web content and Web site navigation. Event managers will have to take responsibility for the new ticketing rules. Housing staff will need to know the permissible scope of inquiries concerning service animals.

Student affairs professionals play a critical role: They must understand the new rules in order to effectively counsel students with disabilities on the best ways to achieve their educational and career aspirations; on ways to navigate structural and stereotype-based challenges; and on where to obtain assistance in removing these barriers. NASPA prompts inclusive thinking, particularly in terms of universal design, to emphasize the need to move conversations and practices forward to ensure that the accommodation process is clear and intuitive to navigate.

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